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PROPOSED AMENDMENT for After Final Interview

In re Application of

FAIRCLOTH et al.

Serial No.: 10/661,698

Filed: September 12, 2003

For: PLAY PILLOW WITH HIDING SPACE

Group Art Unit: 3673

Examiner: Conley, Fredrick C.

Docket No.: PIL001

PROPOSED CLAIM AMENDMENTS

Proposed amendments to claims 1, 23, 25-26 and 34.

1. (currently amended) A theme pillow assembly for playing peek-a-boo hide and seek with at least one item, comprising:

a cushioning member, said cushioning member including a cushioning medium, a front surface and a back surface, said front surface and said back surface being connected along an outer perimeter of said cushioning member, said cushioning medium being between said front surface and said back surface;

a first cavity, said first cavity recessed from said front surface into said cushioning member, said first cavity having a first cavity opening of a predetermined dimension, a first cavity sidewall perimeter surface, and a first cavity floor surface of a similar predetermined

dimension, said first cavity sidewall perimeter surface connected to said first cavity floor surface, and said first cavity sidewall perimeter surface encircled by said cushioning medium;

at least one item removeably situated in said first cavity;

a first door connected to said front surface, and said first door being bendable and openable to an open position for revealing all of said first cavity opening and closeable to a closed position over said first cavity for concealing at least a portion of said first cavity and said at least one item situated in said first cavity, said first door having an outer perimeter smaller than said outer perimeter of said cushioning member, such that, said front surface forms a visible border in between said first door and said outer perimeter of said cushioning member when said first door is in said closed position; and,

wherein said first cavity sidewall perimeter surface billows inward toward said first cavity to snugly hold said at least one item;

wherein said first cavity opening generally maintains said predetermined dimension in said open position and in said closed position, and said first cavity floor surface generally maintains said similar predetermined dimension in said open position and in said closed position;

wherein said first cavity sidewall perimeter surface billows in between said first cavity opening and said first cavity floor surface, said first cavity sidewall perimeter surface at least partially obscuring said first cavity floor surface when said at least one item is removeable situated in said first cavity and when said first cavity is empty; and,

wherein at least one of said cushioning member and said first door have indicia, said at least one item and said indicia together visually indicating an illustrated theme.

2. (previously presented) The theme pillow assembly of claim 1, wherein said at least one item includes a stuffed animal.

3. (canceled)

4. (original) The theme pillow assembly of claim 1, further comprising a sound device, and where said sound device emits a sound that further indicates said illustrated theme.

5. (original) The theme pillow assembly of claim 1, wherein said first cavity opening has a circumference and where said first door has a larger circumference than said first cavity opening circumference so as to overlay a portion of said front surface.

6. (original) The theme pillow assembly of claim 1, wherein said outer perimeter of said cushioning member has a generally rectangular outline, said outline encircling a cushioning member frontal area, said first cavity opening encircling an opening area, and where said opening area is at least 18% of the size of said cushioning member frontal area.

7. (original) The theme pillow assembly of claim 1, wherein said cushioning member includes a shell, said shell housing said cushioning medium, and said shell comprising quilted fabric material.

8. (original) The theme pillow assembly of claim 1, wherein said first cavity floor surface is attached proximate to said back surface for preventing said first cavity sidewall perimeter surface and said first cavity floor surface from turning inside out.

9. (previously amended) The theme pillow assembly of claim 1, further including a securing means for securing said first door in said closed position, and wherein said securing means and said first door are connected to said front surface, said first door opening by bending and said first door generally conforming to said front surface in said closed position, said front surface being convexly contoured.

10. (original) The theme pillow assembly of claim 1, further comprising a second door connected to said cushioning member.

11. (original) The theme pillow assembly of claim 10, wherein said first door and said second door conceal said first cavity when said first door and second door are in closed positions.

12. (original) The theme pillow assembly of claim 10, further comprising a third door, said third door underlying said first door when said first door is in said closed position.

13. (original) The theme pillow assembly of claim 1, further comprising an attached structure bridging at least a portion of said first cavity.

14. (original) The theme pillow assembly of claim 1, wherein said outer perimeter of said cushioning member has an outline that is shaped to further visually indicate said illustrated theme.

15. (previously presented) The theme pillow assembly of claim 1, wherein said cushioning member includes an outer perimeter surface, said outer perimeter surface connected to an outer perimeter of said front surface and connected to said back surface, said outer perimeter surface providing depth to said cushioning member.

16. (original) The theme pillow assembly of claim 15, further comprising a second cavity, said second cavity having a second cavity perimeter sidewall surface which generally encircles a three dimensional void of said second cavity, said second cavity generally encircled by said cushioning medium.

17. (original) The theme pillow assembly of claim 16, wherein said second cavity is in said outer perimeter surface and extending in an inward direction between said front surface and said back surface.

18. (original) The theme pillow assembly of claim 16, further comprising a second door, said second door having a closed position for concealing said second cavity and an open position for revealing said second cavity.

19. (original) The theme pillow assembly of claim 1, further comprising a tunnel, said tunnel having a tunnel opening in said first cavity sidewall perimeter surface, and said tunnel being a passageway located in between said front surface and said back surface.

20. (original) The theme pillow assembly of claim 1, further comprising a cover door and an opening in said first door, said cover door covering said opening in said first door in a closed position and exposing said opening in said first door in an open position, said cover door pivotally connected to said first door.

21. (original) A theme pillow kit comprising the theme pillow assembly of claim 1, a blanket, and a container, said container sized to hold said theme pillow assembly and said blanket, at least one of said blanket and said container having indicia which together with said cushioning member and said item visually indicates said illustrated theme.

22. (original) The theme pillow kit of claim 21, wherein said container is a carrying bag and includes a transparent portion and trim portion, said trim portion having indicia that coordinates with said indicia on said at least one of said cushioning member and said first door.

23. (currently amended) A cushion article for removeably receiving an item, comprising:

- a first surface having an outer perimeter;
- a second surface connected to said first surface at said outer perimeter;
- a cushioning medium, said cushioning medium located between said first surface and said second surface;

a first cavity, said first cavity being a three dimensional void encircled by said cushioning medium and being generally encircled by said first surface, said first surface including a front surface, a first cavity sidewall perimeter surface and a first cavity floor surface, said first cavity sidewall perimeter surface and said first cavity floor surface generally defining said three dimensional void, said first cavity sidewall perimeter surface billowing toward said three dimensional void, at least when said void is empty, for snugly holding yet removeably receiving the item, said first cavity sidewall perimeter surface longer than a depth of said cushion article at said outer perimeter where said first cavity sidewall perimeter surface is measured along said billowing from said first cavity floor surface to said front surface, a first cavity opening to said first cavity being encircled by said front surface, said billowing reducing a lateral dimension of said first cavity to about sixty-nine percent or less than a corresponding lateral dimension of said first cavity opening; and,

Measured
From
Drawings
See
Fig. 16

a first door, said first door connected to said first surface ~~at a location in between said outer perimeter of said cushioning member and said first cavity opening~~ and openable to an open position and closeable to a closed position, said first door overlaying said first cavity in said closed position, and said first door having a circumference greater than a circumference of said first cavity opening yet smaller than a circumference of said outer perimeter.

24. (original) The cushion article of claim 23, in combination with a removeable item, and where at least a portion of said first surface and said first door have indicia which together with said item visually illustrate a theme.

25. (currently amended) A theme pillow assembly for concealing and revealing an item comprising:

a first layer of material;

a second layer of material connected to said first layer of material;

cushioning medium between said first layer and said second layer;

a cavity having an opening, said first layer of material including a front layer, a cavity sidewall perimeter layer and a cavity floor layer, said cavity sidewall perimeter layer being encircled by said cushioning medium, said cavity opening and said cavity floor layer similarly sized and similarly shaped, said cavity opening and said cavity floor layer generally maintaining said size and shape;

an item removably stationed in said cavity;

a third layer of material attached to said first layer of material, said third layer of material being a door covering at least a portion of said cavity opening, said third layer of material attached to pivotally open to an open position fully revealing said cavity opening and pivotally close to a closed position, said third layer attached in between said opening of said cavity and an outer perimeter of said first layer of material, said third layer having an outer perimeter smaller than an outer perimeter of said front layer, such that, said front layer forms a visible border in between said door and said outer perimeter of said front layer; and,

wherein at least one of said first layer of material and said third layer of material bear indicia which together with said item indicate a theme.

26. (currently amended) The theme pillow assembly of claim 25, wherein said item includes a stuffed toy, and where said cavity sidewall perimeter layer billows reducing a lateral dimension

of said cavity to about sixty-nine percent or less than a corresponding lateral dimension of said cavity opening for snugly holding said stuffed toy in said cavity.

27. (previously presented) The theme pillow assembly of claim 25, further comprising a sound device.

28. (previously presented) The theme pillow assembly of claim 25, wherein said cavity opening has a circumference and where said third layer has a larger circumference than said cavity opening circumference so as to overlay a portion of said first layer of material.

29. (previously presented) The theme pillow assembly of claim 25, wherein said cavity floor layer is attached to said second layer for preventing said cavity sidewall perimeter layer and said cavity floor layer from turning inside out.

30. (previously presented) The theme pillow assembly of claim 25, wherein an outer perimeter of said theme pillow assembly has an outline that is shaped to further indicate said theme.

31. (previously presented) The theme pillow assembly of claim 25, further comprising a outer perimeter layer of material, said outer perimeter layer of material connected to an outer perimeter of said first layer of material and an outer perimeter of said second layer of material, said outer perimeter layer of material providing depth to said theme pillow assembly.

32. (previously presented) The theme pillow assembly of claim 31, further comprising a second cavity, said second cavity having a second cavity sidewall perimeter surface which generally encircles a three dimensional void of said second cavity, said second cavity generally encircled by said cushioning medium.

33. (previously presented) The theme pillow assembly of claim 25, further comprising a tunnel, said tunnel having a tunnel opening in said cavity sidewall perimeter layer, and said tunnel being a passageway located in between said first layer and said second layer.

34. (currently amended) A theme pillow assembly for playing peek-a-boo hide and seek with at least one item, comprising:

a cushioning member, said cushioning member including a cushioning medium, a front surface and a back surface, said front surface and said back surface being connected along an outer perimeter of said cushioning member, said cushioning medium being between said front surface and said back surface;

a first cavity, said first cavity recessed from said front surface into said cushioning member, said first cavity having a first cavity opening, a first cavity sidewall perimeter surface and a first cavity floor surface, said first cavity sidewall perimeter surface connected to said first cavity floor surface, said first cavity side wall perimeter surface longer than a depth of said cushioning member at said outer perimeter of said cushioning member where said first cavity sidewall perimeter surface is measured from said first cavity floor surface to said front surface along said first cavity sidewall perimeter surface, and said first cavity sidewall perimeter surface

encircled by said cushioning medium, said first cavity having a lateral dimension of about sixty-nine percent or less than a corresponding lateral dimension of said first cavity opening;

at least one item removeably situated in said first cavity;

a first door connected to said front surface, and said first door openable to an open position for revealing at least a portion of said first cavity and closeable to a closed position over said first cavity for concealing said at least a portion of said first cavity and said at least one item situated in said first cavity, said front surface at least partially framing said first door by providing a visible border in between said first door and said outer perimeter of said cushioning member when said first door is in said closed position;

wherein said cushioning member includes a shell, said shell housing said cushioning medium, and said shell comprising layers of fabric material, said first cavity floor surface on an exterior side of a first cavity floor layer of fabric material, said back surface on an exterior side of a back layer of fabric material, said first cavity floor layer having an interior side and said back layer having an interior side, said first cavity floor layer interior side and said back layer interior side connected without said cushioning medium intervening; and,

wherein at least one of said cushioning member and said first door have indicia, said at least one item and said indicia together visually indicating an illustrated theme.

35. (previously presented) A theme pillow assembly for playing peek-a-boo hide and seek with at least one item, comprising:

a cushioning member, said cushioning member including a cushioning medium, a front surface and a back surface, said front surface and said back surface being connected along

an outer perimeter of said cushioning member, said cushioning medium being between said front surface and said back surface;

a first cavity, said first cavity recessed from said front surface into said cushioning member, said first cavity having a first cavity opening, a first cavity sidewall perimeter surface and a first cavity floor surface, said first cavity sidewall perimeter surface connected to said first cavity floor surface, and said first cavity sidewall perimeter surface encircled by said cushioning medium;

at least one item removeably situated in said first cavity;

a first door connected to said front surface, and said first door openable to an open position for revealing at least a portion of said first cavity and closeable to a closed position over said first cavity for concealing said at least a portion of said first cavity and said at least one item situated in said first cavity;

further comprising an attached structure bridging at least a portion of said first cavity; and,

wherein at least one of said cushioning member and said first door have indicia, said at least one item and said indicia together visually indicating an illustrated theme.

36. (previously presented) A theme pillow assembly for playing peek-a-boo hide and seek with at least one item, comprising:

a cushioning member, said cushioning member including a cushioning medium, a front surface and a back surface, said front surface and said back surface being connected along an outer perimeter of said cushioning member, said cushioning medium being between said front surface and said back surface;

a first cavity, said first cavity recessed from said front surface into said cushioning member, said first cavity having a first cavity opening, a first cavity sidewall perimeter surface and a first cavity floor surface, said first cavity sidewall perimeter surface connected to said first cavity floor surface, and said first cavity sidewall perimeter surface encircled by said cushioning medium;

at least one item removeably situated in said first cavity;

a first door connected to said front surface, and said first door openable to an open position for revealing at least a portion of said first cavity and closeable to a closed position over said first cavity for concealing said at least a portion of said first cavity and said at least one item situated in said first cavity;

a cover door and an opening in said first door, said cover door covering said opening in said first door in a closed position and exposing said opening in said first door in an open position, said cover door pivotally connected to said first door; and,

wherein at least one of said cushioning member and said first door have indicia, said at least one item and said indicia together visually indicating an illustrated theme.

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